

**UNITED STATES DISTRICT COURT
ARIZONA – PHOENIX**

USA v. Guilherme Cipriani

Case Number: 23-5225MJ-1

ORDER SETTING CONDITIONS OF RELEASE

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APR 27 2023	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY <u>NSH</u>	B DEPUTY

- ☒ **PERSONAL RECOGNIZANCE**
- ☐ **AMOUNT OF BOND:**
- ☐ **UNSECURED**
- ☐ **SECURED BY:**
- SECURITY TO BE POSTED BY:**

NEXT APPEARANCE: Wednesday, May 24th, 2023 at 2:00 PM before Magistrate Judge Alicia M. Otazo Reyes

☒ 10th Floor Courtroom C. Clyde Atkins U.S. Courthouse, 301 North Miami Avenue, Miami, Florida 33128.

Pursuant to 18 U.S.C. § 3142(c)(1)(B), the Court may impose the following least restrictive condition(s) only as necessary to reasonably assure the appearance of the person as required and the safety of any other person and the community.

IT IS ORDERED that defendant is subject to the following conditions and shall:

- ☒ appear at all proceedings as required and to surrender for service of any sentence imposed.
- ☒ not commit any federal, state or local crime.
- ☒ cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- ☒ IMMEDIATELY advise his/her attorney and Pretrial Services, in writing, PRIOR to any change in residence address, mailing address, or telephone number.
- ☐ reside at the address on file with Pretrial Services, and any change of address shall require PRIOR approval by Pretrial Services.
- ☒ maintain or actively seek employment (combination work/school) if physically and medically able to do so and provide proof of such to Pretrial Services.
- ☐ not travel outside of the defendant's authorized state of residence unless PRIOR Court or Pretrial Services permission is granted to do so. The defendant shall not travel out of the United States unless PRIOR Court approval is granted to do so.
- ☒ not travel outside the defendant's authorized state of residence unless PRIOR Court or Pretrial Services permission is granted to travel elsewhere except that with at least two days PRIOR notice to Pretrial Services, the defendant may travel directly to the prosecuting district, and through all states and counties between the defendant's authorized state of residence and the prosecuting district, for Court purposes and lawyer conferences. The defendant shall not travel out of the United States unless PRIOR Court approval is granted to do so.
- ☒ avoid all direct or indirect contact with any persons who are considered alleged victim(s), potential witness(es), or codefendant(s). Contact exclusively through counsel is allowed.
- ☒ shall report as directed to the U.S. PRETRIAL SERVICES 1-800-769-7609 or 602-322-7350; 401 W. Washington St., Suite 260, Phoenix, AZ 85003.
- ☐ not drive without a valid driver license.
- ☐ execute an agreement to forfeit the bond or designated property upon failing to appear as required:
- ☐ be released to the third-party custody of: and shall reside with the third-party custodian unless Pretrial

Services gives the defendant permission to reside elsewhere.

- ☒ consume no alcohol. The defendant shall participate in alcohol treatment, submit to alcohol testing and make copayment toward the cost of such services, as directed by Pretrial Services. The defendant shall not obstruct, tamper, or attempt to obstruct or tamper, in any fashion, with the efficacy and accuracy of any substance use testing or monitoring.
- ☒ not use or possess a narcotic drug or other controlled substance (as defined by 21 U.S.C. § 802) unless prescribed for the defendant by a licensed medical practitioner; this provision does not permit the use or possession of medicinal marijuana even with a physician's written certification. The defendant shall participate in drug treatment and submit to drug testing and make copayment toward the cost of such services as directed by Pretrial Services. The defendant shall not obstruct, tamper, or attempt to obstruct or tamper, in any fashion, with the efficacy and accuracy of any substance use testing or monitoring.
- ☒ surrender all travel documents to Pretrial Services by May 4, 2023
- ☒ not obtain a passport or other travel documents during the pendency of these proceedings.
- ☐ be at your residence during the hours specified by Pretrial Services as curfew hours.
- ☐ not possess or attempt to acquire any firearm, destructive device, or other dangerous weapon or ammunition.
- ☒ maintain weekly contact with the defendant's attorney by Friday, noon of each week.
- ☐ timely pay his/her monthly child support payments as previously ordered by the subject state court in the total amount of: \$.
- ☐ not obtain any new financial accounts without prior notification and approval of Pretrial Services.
- ☐ participate in a mental health assessment and participate in mental health treatment as determined to be necessary by a medical or mental health professional and follow any treatment directions by the treatment provider, including taking all medication prescribed by the treatment provider unless the defendant objects to a medication, and in that event the defendant shall immediately notify Pretrial Services. You must contribute to the cost of such services in an amount to be determined by Pretrial Services.
- ☐ resolve all pending lower court matters and provide proof of such to Pretrial Services.
- ☐ appear at the United States Marshal's Service Office at 401 W. Washington St., Phoenix, AZ 85003, to make an identity record.
- ☐
- ☐

ADVICE OF PENALTIES AND SANCTIONS

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (i.e., in addition) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

DATE: 4/27/23	SIGNATURE OF DEFENDANT 
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Custodian agrees to (a) supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and to notify the court immediately in the event the defendant violates any condition of release or disappears. We, the undersigned, have read and understand the terms of this bond and conditions of release and acknowledge that we are bound by it until duly exonerated.

SIGNATURE OF CUSTODIAN(S)

Directions to United States Marshal:

- ☒ The defendant is ORDERED released after processing.
- ☐ The United States Marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

The U.S. Marshal is directed to bring the defendant bag and baggage to the Courthouse on for release from the U.S. Marshals Service office at 8:30 a.m.

DATE: 4/27/2023


Deborah M. Fine
United States Magistrate Judge